

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

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U.S.C.A. #

U.S.D.C. #

08-cv-3258

JUDGE:

KMW

DATE:

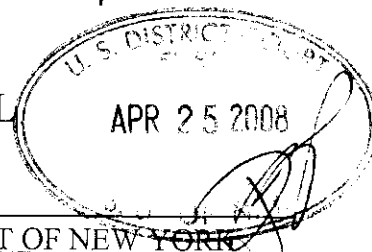
April 25, 2008

Petties

-v-

City of New York et al

INDEX TO THE RECORD ON APPEAL



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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

(X) Original Record

( ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 25th Day of April, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

U.S.C.A. # \_\_\_\_\_

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Pettus

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**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description


In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 25th Day of April In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

[Signature]  
Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-03258-KMW**  
**Internal Use Only**

Pettus v. City of New York et al  
Assigned to: Judge Kimba M. Wood  
Cause: 42:1983 Civil Rights Act

Date Filed: 04/01/2008  
Date Terminated: 04/01/2008  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
04/01/2008	1	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by James Pettus.(mbe) (Entered: 04/09/2008)
04/01/2008	2	COMPLAINT against Quinn, O'Brian, First Judicial Dept., 2nd District, Thomas Cahill, Sherry Cohen, Diana Maxfield Kears, City of New York, Randolph Clarke, Jr, Robert Morgenthau, District Attorney Office, Frank Dudis, Charles Hynes, District Attorney, Vanessa Wooten. Document filed by James Pettus.(mbe) (Entered: 04/09/2008)
04/01/2008		SUMMONS ISSUED as to Quinn, O'Brian, First Judicial Dept., 2nd District, Thomas Cahill, Sherry Cohen, Diana Maxfield Kears, City of New York, Randolph Clarke, Jr, Robert Morgenthau, District Attorney Office, Frank Dudis, Charles Hynes, District Attorney, Vanessa Wooten. (mbe) (Entered: 04/09/2008)
04/01/2008		Magistrate Judge Andrew J. Peck is so designated. (mbe) (Entered: 04/09/2008)
04/01/2008	3	ORDER OF DISMISSAL, I direct the Clerk of Court to assign a docket number to this action, but dismiss the complaint for the following reason. Accordingly, the complaint, is dismissed for failure to allege that plaintiff is under imminent danger of serious physical injury. Plaintiff continues to be barred from filing any civil action under the in forma pauperis statute while he is a prisoner, unless his allegations bring his complaint within the terms of the statute's "imminent danger" exception. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. SO ORDERED. (Signed by Judge Kimba M. Wood on 4/1/2008) (mbe) (Entered: 04/09/2008)
04/01/2008	4	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 4/1/2008) (mbe) (Entered: 04/09/2008)
04/14/2008	5	NOTICE OF APPEAL from 3 Order Dismissing Complaint (I.F.P.), 4 Judgment - Sua Sponte (Complaint). Document filed by James Pettus. (tp) (Entered: 04/24/2008)
04/14/2008	o	Appeal Remark as to 5 Notice of Appeal filed by James Pettus. \$455.00 APPEAL FEE DUE. IFP REVOKED 4/1/08. (tp) (Entered: 04/24/2008)
04/24/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 5 Notice of Appeal. (tp) (Entered: 04/24/2008)
04/24/2008		Transmission of Notice of Appeal to the District Judge re: 5 Notice of Appeal. (tp) (Entered: 04/24/2008)